

At page 4, line 4, after "09/476,846" please insert --, now pending,--.

At page 13, line 7, please replace "Figs. 23-34" with "Figs. 23-24".

At page 15, line 12, please insert --20-- after the first occurrence of "service".

At page 15, line 16, please insert --20-- after the first occurrence of "service".

At page 15, line 19, please insert --20-- after the first occurrence of "service".

At page 15, line 20, please insert --20-- after each occurrence of "service".

At page 16, line 1, please insert --20-- after the first occurrence of "service".

At page 16, line 8, please insert --20-- after the first occurrence of "service".

At page 16, line 9, please insert --20-- after each occurrence of "service".

At page 17, line 2, please replace "Windows NT" with "WINDOWS NT®".

At page 17, line 5, please replace "26A" with "26B".

At page 17, lines 8, 9, 10 and 11, please replace "26B" with "26A".

At page 17, line 9, after "network" please insert --36--.

At page 18, line 11, after "step 62." please insert --Where no outage is detected, however, the probable cause engine continues to receive service quality data, step 60.--.

At page 28, line 18, after "step 88." please insert --Where no service outage is detected, the service usage meters continue to measure the activity in a service, step 84.--.

At page 29, line 12, before "If" please insert --Where no service outage is detected, step 102, the service quality monitors continue to regularly poll the service for quality levels.--.

REMARKS

Examination is requested of the claims and specification as amended herein.

Support for the amendments can be found throughout the figures and supporting text. Also

included with this Response are copies of the articles referenced in the specification and requested by the Examiner.

The Examiner has rejected claim 27 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention. Claim 27 is hereby amended to claim dependency from independent claim 16, thereby obviating the rejection. It is respectfully requested that the Examiner withdraw the rejection.

The drawings are objected to as lacking Figs. 29 through 34 as described in the context of the paragraph at page 13, line 7. The specification is hereby amended to correctly recite the description as being directed to Figs. 23 through 24. It is respectfully requested that the Examiner withdraw the objection.

It is noted that any trademarks should be capitalized wherever they appear. Applicants hereby amend the specification at page 17, line 2 to indicate that the term “Windows NT” is a registered trademark.

The Examiner objects to the disclosure, indicating that the specification must be updated to include the current status of U.S. Application Number 09/476,846. The specification is hereby amended to indicate that the application is now pending.

The Examiner further objects to the specification as both lacking a description of reference legends and how the program proceeds at certain steps as is required by 37 CFR §§ 1.84 and 1.121(e). Specifically, the Examiner indicates an absence of reference legend 20 in Fig. 2 and 36 in Fig. 3, as well as how the program proceeds if the inquiry is “NO” after boxes 62 in Fig. 4, 86 in Fig. 14 and 102 in Fig. 15A. Applicants hereby amend the specification to include

the omitted reference legends and description of the program progression as illustrated by the figures; no new matter has been added.

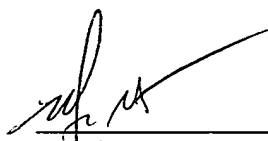
Finally, the Examiner indicates an error in the specification whereby Applicants inadvertently swapped the description of reference legends 2A and 26B in the paragraph at page 17, line 3. Applicants hereby amend the specification to correct this error.

As per the Examiner's request, enclosed are copies of the William S. Cleveland article entitled "Visual and Computational Considerations in Smoothing Scatterplots by Robust Locally Weighted Regression" and the N.B. Booth and A.F.M. Smith article entitled "A Bayesian Approach to Retrospective Identification of Change Points".

As the Examiner concedes, claims 1 through 26 and 28 through 61 are not taught by the prior art and are therefore allowable. By this Amendment, Applicant has amended claim 21 to depend on independent claim 16, thereby overcoming the rejection under 35 USC §112. It is believed that all pending claims are now in condition for allowance, which is respectfully requested. To expedite prosecution of this application to allowance, the examiner is invited to call the applicants' undersigned representative to discuss any remaining issues relating to this application.


Respectfully submitted,

Dated: 24 June 2003



Matthew J. Marquardt
Reg. No. 40,997
BROWN RAYSMAN MILLSTEIN
FELDER & STEINER LLP
900 Third Avenue
New York, NY 10022
(212) 895-2000

I hereby certify that this paper is being deposited this date with the
U.S. Postal Service as First Class Mail addressed to:
Mail Stop: Amendment, P.O.Box 1450
Commissioner for Patents, Alexandria, VA 22313-1450



Matthew J. Marquardt

24 JUNE 03

Date

Amended Claims Pursuant to 37 CFR 1.121(c)
Showing Claims in Marked-up Form

27. (Amended) The method of claim 16, wherein determining the service change time window comprises detecting a step change in measured usage.